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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,856	07/25/2003	Joachim Grutzke	ZTP01P16101	2645
75	90 12/07/2005		EXAM	INER
LERNER AND GREENBERG, P.A.			PRICE, CARL D	
POST OFFICE BOX 2480 HOLLYWOOD, FL 33022-2480			ART UNIT	
			3749	3749

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Before the Filing of an Appeal Brief	Examiner	Art Unit

Application No.	Applicant(s)	
10/627,856	GRUTZKE ET AL.	
Examiner	Art Unit	
CARL D. PRICE	3749	
	Application No. 10/627,856 Examiner CARL D. PRICE	10/627,856 GRUTZKE ET AL. Examiner Art Unit

before the filling of all Appear biler	Examiner	Art Unit	
	CARL D. PRICE	3749	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress
THE REPLY FILED 26 August 2005 FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	R ALLOWANCE.	
 The reply was filed after a final rejection, but prior to or of this application, applicant must timely file one of the follor places the application in condition for allowance; (2) a No. (3) a Request for Continued Examination (RCE) in completellowing time periods: 	n the same day as filing a Notice o wing replies: (1) an amendment, a otice of Appeal (with appeal fee) in liance with 37 CFR 1.114. The repl	f Appeal. To avoid ab ffidavit, or other evide compliance with 37 (ence, which CFR 41.31; or
a) The period for reply expires 5 months from the mailing date of			
b) The period for reply expires on: (1) the mailing date of this Adv event, however, will the statutory period for reply expire later the Examiner Note: If box 1 is checked, check either box (a) or (b).	an SIX MONTHS from the mailing date o	f the final rejection.	
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f)		NOT KEI ET WASTIEE	5 WITTIM 1 WO
Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened stabove, if checked. Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	nd the corresponding amount of the fee. atutory period for reply originally set in the	The appropriate extension final Office action; or (2)	on fee under 37 as set forth in (b)
 The Notice of Appeal was filed on <u>22 September 2005</u>. A months of the date of filing the Notice of Appeal (37 CFR dismissal of the appeal. Since a Notice of Appeal has be 37 CFR 41.37(a). 	41.37(a)), or any extension thereo	of (37 CFR 41.37(e)),	to avoid
AMENDMENTS			
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE below	nsideration and/or search (see NO ow);	TE below);	
(c) ☑ They are not deemed to place the application in be appeal; and/or			the issues for
(d) They present additional claims without canceling a		ejected claims.	
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1		liont Amoondusont	(DTOL 224)
 4. The amendments are not in compliance with 37 CFR 1.1 5. Applicant's reply has overcome the following rejection(s 		omphant Amendment	(PTOL-324).
6. Newly proposed or amended claim(s) would be a	• • • • • • • • • • • • • • • • • • • •	timely filed amendm	ent canceling
the non-allowable claim(s).	mowable it subtritted iit a separate	, umery med amendin	ient canceling
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		vill be entered and an	explanation of
Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected: <u>1-20</u> .			
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, b	ut hefore or on the date of filing a N	vatice of Anneal will r	not be entered
because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e).			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe ry and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	entry is below or attac	:hed.
11. The request for reconsideration has been considered but	ut does NOT place the application i	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper	No(s). <u>0</u> 8/2 6/ 20 0 5	
13. Other: See Continuation Sheet.	, ,		

CARL D. PRICE Primary Examiner Art Unit: 3749

Continuation Sheet (PTOL-303)

Application No.

Continuation of 3. NOTE: New issues that would require further consideration and/or search include the added limitations of first and second guide tracks; the first and second guide element fixed to the door and guided in the first and second guide tracks each spatially separated from the pivot axis and movable relative to the pivot axis; and the guide system guiding the first and second guide elements along the second guide track during the pivoting movement of the door.

Continuation of 13. NOTE: The information disclosure statement filed 08/26/2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because it does not include a statement required under section 37 CFR 1.97, (e) (1) that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application "not more than three months prior to the filing of the information disclosure statement". It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a)